

September 1, 2015
Antelope County Board
Neligh, Nebraska

The Antelope County Board of Supervisors convened in regular session on Tuesday, September 1, 2015 at 9:05 AM in the County Supervisor's Room, Antelope County Courthouse Annex, Neligh, Nebraska. Meeting was called to order by Chairman Schwager, with the following board members responding to roll call: Kerkman, Schindler, Koinzan, Henery, Schwager and Bolling. Chairman Schwager stated that the open meeting laws are posted on the east wall of the Supervisors' room with more copies available at the County Clerk's Office.

Notice of the meeting was given in advance thereof by publication in the four county newspapers, legal newspapers printed and in general circulation in Antelope County, Nebraska as shown by proof of publication filed in the County Clerk's office. Agenda for said meeting was sent to all members of the County Board of Supervisors.

Correspondence was reviewed: Karr Tuckpointing – Free Inspection Letter; Karr Tuckpointing introducing Michelle Bruce as Project Coordinator; Nebraska Salt & Grain Co regarding Road Salt (supervisors indicated did not have contract for salt); State of Nebraska Traffic Crash Facts; Probation District 7 (typo on budget); Temporary Road Closing Christensen Farms – no action (file for now); Northeast Nebraska Economic Development District Member and Certificate of Membership; Rueters Fall Maintenance Special; Sapp Bros Petroleum Inc, regarding Contract Diesel; Nebraska Department of Roads Sign Permit – James & Diane Hoffman landowners (more research is needed-this is a renewal of contract. The contract renews every two (2) years. On 14-20 junction.); The Governor's Breakfast on September 6, 2015; Northeast Nebraska Association of County Officials – September 18, 2015 in Schuyler, Nebraska – asked for meeting goers (Kerkman, Schindler, and Schwager); Lockout/Tag Out Program Safety Council; John Deere Software Improvement; Alternative Roads Program email (no action).

Bruce Ofe, Antelope County Weed Superintendent discussed with the Board regarding the selling of a trailer owned by the Weed Department. This trailer was used to transport the 4-Wheeler traded by them in June for their current 4 x 4, and is no longer useful to the department. Discussion followed, as to the proper and most fair way of selling the trailer. It was decided to place item on the Big Iron Auction list with other county surplus items.

Robert Johnston submitted two (2) under-road permits for electric line placement. #1) Boring under 514th Avenue in the W½NW¼ of Section 2, Township 26, Range 8 West. Purpose is to place a permanent electric line for 75 horsepower electric irrigation well. Work is to be completed by Anson Electric. Johnston Farms, Inc. is Owner. All work to be done according to state and county specs. #2) Boring under 515th Avenue in the NW¼ of Section 1, Township 26, Range 8 West. Purpose is to place a permanent electric line for center pivot serviced. Work is to be completed by Anson Electric. Johnston Farms, Inc. is owner. All work is to be done according to state and county specs. Motion was made by Henery, seconded by Williby to approve both permits for underground electric line placement. Voting aye: Henery, Williby, Koinzan, Kerkman, Schindler, Bolling, and Schwager. Nays none. Motion passed.

David Hoffman submitted an under-road permit for electric line placement. Boring under 532nd Avenue in the SE¼ of Section 35, Township 28, Range 5 West. Purpose is for water and electric line for cattle waterer. Work is to be completed by Bauer Underground. Tenants and owner is David Hoffman. All work to be done according to state and county specs. Motion was made by Williby, seconded by Kerkman to approve application as submitted. Voting aye: Schindler, Williby, Bolling, Henery, Kerkman, Koinzan and Schwager. Nays none. Motion carried.

Motion was made by Henery, seconded by Schindler to approve the minutes of August 4, 2015, August 11, 2015 and August 18th, 2015 as written. No discussion. Voting aye Schindler, Henery, Williby, Kerkman, Bolling, Koinzan and Schwager. Nays none. Motion carried.

Motion was made by Bolling, and seconded by Schindler to approve the claim for Neligh's Bread and Jam Committee Promotional Fund request of \$300.00. Discussion held. Funds are being requested to promote their Bread and Jam Festival on September 12, 2015. Voting aye: Koinzan, Kerkman, Schindler, Williby, Henery, Bolling and Schwager. Nays none. Motion carried.

County Clerk reported budget is not balanced at this point. She has asked for help from Carolyn Pedersen, former Clerk. Carolyn will be in this afternoon. She has the expenses and revenues figured and balanced however, her state budget papers are reporting in violation. She will have prepared for next week and budget hearing will be scheduled for September 15th, 2015. Discussion was held on various budget issues. No firm action.

Supervisor Koinzan asked if we could vote on individual budgets. Discussion followed. It was discussed to wait until budget was balanced so we know if we could accept all budgets. The board generally did not think we could pick out and vote yeah or nay on one budget, it would have to be done as a whole.

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Reviewed July's Treasurer's Miscellaneous Fee Report and put on file.

Reviewed Treasurer's July Fund Balance Report and put on file.

Appeara contracts are due and needing to be signed. District 6 Oakdale, District 5 Tilden, District 3 Clearwater, District 1 Orchard, and District 2 Royal have current contracts with Appeara. Discussion held. The current minimum delivery fee is \$20.00. This seems to be a significant increase. The board felt in general this is not a justifiable charge increase. Motion was made by Henery, seconded by Koinzan to cancel all Barn/Road and Bridge contracts with Appeara. Presently, the Courthouse maintenance and janitorial personnel have a contract and if the barns want to order, they can place through the courthouse contract. Voting aye: Bolling, Koinzan, Kerkman, Schindler, Williby, Henery and Schwager. Nays none. Motion carried.

At 9:54 AM, Richard Schuchardt met with the board regarding county setbacks and right of ways. He stated he had been in contact with Marlin Conry with Invenergy and was satisfied at this point. He was worried about a row of Cottonwood trees along a road, and did not want to see this row of trees removed. He stated he had been in contact with Supervisor Koinzan and they had discussed this at length. Through an investigation of this issue, Mr. Koinzan had talked with County Attorney, Joe Abler, and they had even gone to the particular intersection for further investigation, and to check the "safety issue." Mr. Koinzan had talked to neighboring land owners and gathered their in-sites and concerns. No action taken as Mr. Schuchardt is satisfied after talking to entities involved.

It was also mentioned the Trees in right of way and mowing is land owners responsibility. If it is not taken care of by the landowner the county can remove at owner's expense. However, the land owner must be notified before any action, and any billing is to take place.

John Kerkman and Jerry Hales met with the Supervisors regarding a bridge on 843rd Road. This bridge is three and one-half (3½) miles west of Tilden. This bridge has been on the One and Six Year Plan for a long time. It is in desperate need of attention and repair. Currently, it is a 20 foot ridge and it seems the majority of it is unusable, stating 14 feet is usable at this time. It is really deep and a high tonnage bridge, monitored abutment wall, there are trees over bridge. To the east is concrete approach and the west is dirt. Bridges are inspected every two (2) years. Mr. McDonald, Antelope County Highway Superintendent, advised the board to make a motion to study bridge. By study they will draw a plan, figure permits, and perform hydraulic study, channel study, ground survey and size, estimated cost of \$20,000.00. Discussion held. Supervisor Koinzan asked if we could move the bridge to next year’s projects. Moving the bridge in the One and Six year plan should happen during the public hearing in January or February of 2016. Motion was made by Schindler, seconded by Kerkman to order JEO Engineering to do a bridge study. Voting aye: Schindler, Williby, Kerkman, Henery, Bolling, Koinzan, and Schwager. Nays none. Motion carried.

Mr. McDonald, Antelope County Highway Superintendent met with the Supervisors regarding various projects and budget questions. He will be sending two (2) bridge bid letting next month, the “Oakdale South Bridge” and “Thiele Dairy Bridge.” We will advertise these bids and open them in October, with a planned completion of next spring.

Mr. McDonald explained about the different funds allocated to the county, via federal and state aid. These funds are available for projects and are not used to reduce the tax asking. The Highway Allocation Funds have to be matched with local funds, and Buyback funds has strings and can only be used for Roads and Bridges, off and on system roads. Federal Aid cannot reduce the budget, and will be pulled if used in this manner.

Supervisor Bolling asked about a box culvert on 848th Road between 513th and 514th Avenue, the road is caving away. Brian looked at, it is caving away, off ROW. No action.

Supervisor Kerkman asked about Wheeler County Roads adjoining Antelope County. Brian McDonald said in the past these projects have been shared.

Regina Krebs, Certified Public Accountant, who does a number or township budgets met with the Supervisor’s regarding allowing .02 cents for the Townships under the county budget. In early August, the board voted this down, because budget was unbalanced. Supervisor Bolling made a motion to approve a .02 cent levy for the Townships under the County levying authority. Motion was seconded by Schindler. Voting aye: Bolling, Schindler, Koinzan, Kerkman, Henery, Williby, and Schwager. Nays none. Motion carried. Regina also talked with the board regarding the Townships and their levying. In 2017, the townships will not be levying tax money from the taxpayers as there will not be any townships. This tax levy would be collected and returned to the county to help maintain township roads. This money is not going to be available and will need to be allocated in a different way.

Antelope County Library Association Agreements were discussed. An increase was approved in August of \$200.00 for each Library. The agreements however remained unsigned. Discussion followed. Motion by Supervisor Henery, seconded by Supervisor Williby to approve the 2015-2016 Antelope County Library Agreements. Voting aye: Henery, Williby, Kerkman, Koinzan, Schindler, Bolling and Schwager. Nays none. Motion carried. Supervisors signed the agreements.

Interlocal Cooperation Agreement Between the Village of Oakdale, Orchard, Brunswick, Clearwater and the Cities of Elgin and Neligh and Antelope County
THIS AGREEMENT IS MADE AND ENTERED INTO BY AND BETWEEN Antelope County, Nebraska, a Political Subdivision, by and through its Antelope County Board of Supervisors, (hereinafter referred to as “County”) and the Antelope County Library Association consisting of the public libraries of the Cities of Neligh, Elgin and Tilden, and the Villages of Brunswick, Orchard, Clearwater, and Oakdale, each being Municipal Corporations, by their respective Mayors, Chairpersons, and Trustees, respectively.

WHEREAS, Nebraska Revised Statute Section 13-801 Et. Seq., R.R.S. 1943 (reissued 1997), the “Nebraska Interlocal Cooperation Act” authorizes the parties hereto to unite their efforts and resources to accomplish the intent of this agreement; and

WHEREAS, the Antelope County Library Association, by and through their respective community libraries does agree to provide all services and materials to the residents of Antelope County, Nebraska, whom are not residents of the respective Municipal Corporations, under the same terms and conditions as provided to the residents of such Municipal Corporations;

WHEREAS, the Antelope County Library Association’s mission statement is to serve the communities of Neligh, Elgin, Tilden, Brunswick, Orchard, Clearwater and Oakdale as well as all residents of rural Antelope County, Nebraska, as a resource for information, entertainment, cultural opportunity, and educational development, thereby enhancing and enriching the lives of the users. That the libraries within said communities shall be active and progressive institutions providing materials that reflect the needs and interests of its patrons. That said Library Association shall seek equitable funding, share materials and solutions to problems, provide access to resources beyond each of their individual facilities by cooperative agreements with library organizations at the local, regional and state levels and to strive to make use of all possible resources and ideas to meet the needs of the patrons of each of the communities and of the residents of the entire county.

WHEREAS, Nebraska Revised Statute Section 77-3442 R.R.S. 1943 (reissue 1996) provides that \$.05 per \$100.00 of taxable valuation of property subject to the county levy may only be levied to provide financing for the county’s share of revenue required under an agreement executed pursuant to the Interlocal Cooperation Act.

NOW THEREFORE, in consideration of the foregoing recitals and their mutual covenants here and after expressed, the parties agree as follows:
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Each of the communities, Brunswick, Orchard, Clearwater, Neligh, Elgin, Oakdale and Tilden by and through their public libraries commonly referred to as the Antelope County Library Association shall provide all services and materials currently available through the public libraries, to non-residents of their community so long as such residents are residents of the county, under the same terms and conditions as such services and materials are provided to the resident of their respective communities.

That the County agrees to contribute financially to the Antelope County Library Association and agrees to implement a levy not to exceed \$.05 per \$100.00 of taxable valuation of property on an annual basis to the Antelope County Library Association, by paying to the respective libraries of the Cities of Neligh, Elgin and Tilden, and the Villages of Brunswick, Orchard, Clearwater and Oakdale the applicable amount as provided by this agreement. That a like amount shall be included in the County’s budget, reviewable, on an annual basis. This funding to be supplemental funding and not replace other funding.

That this agreement shall have an effective date of July 1, 2014, and shall continue in full force and effect for a period of one year. This agreement shall not be construed as to form an additional political subdivision. The parties hereto agree to comply with any and all laws, rules and regulations, whether same be local, state or federal, required in the administration and execution of the terms and provisions of this agreement. Further, that no party will assign any rights granted under this agreement.

This agreement shall be administered by the Antelope County Clerk, as directed by the respective board of the parties hereto.

IN WITNESS WHEREOF, the parties have executed the agreement on the dates appearing directly above their signatures.

VILLAGE OF OAKDALE, NEBRASKA
Date approved by the Village Board:
Delayne Fulsaas /s/ (SEAL)
Chairman, Village of Oakdale
VILLAGE OF CLEARWATER, NEBRASKA
Date approved by the Village Board

Attest: /s/ Vicki Carstens
Village Clerk

Steve Stearns /s/
Chairman, Village of Clearwater
VILLAGE OF BRUNSWICK, NEBRASKA
Date approved by the Village Board:
James E. Meuret /s/
Chairman, Village of Brunswick
VILLAGE OF ORCHARD, NEBRASKA
Date approved by the Village Board:
Dennis Clifton /s/
Chairman, Village of Orchard
CITY OF NELIGH, NEBRASKA
Date approved by the City Council:
Joe Hartz/s/ (SEAL)
Mayor, City of Neligh
CITY OF ELGIN, NEBRASKA
Date approved by the City Council: June 2, 2014
Mike Schmitt /s/ (SEAL)
Mayor, City of Elgin
ANTELOPE COUNTY, NEBRASKA
Antelope County Supervisors
Date approved by the Antelope County Board of Supervisors: June 10, 2014
Jerald Schwager, Chairman /s/
Charles F. Henery /s/

Attest: Tina Snider /s/
Village Clerk

Attest: Stephanie Meuret /s/
Village Clerk

Attest: Brenda Harrison /s/
Village Clerk

Attest: Danielle Klabenes /s/
City Clerk

Attest: Vicki S. Miller /s/
City Clerk

Harlan Brandt /s/
Larry Baker /s/

Neil Williby /s/
Merlin Bolling - absent

LeRoy Kerkman /s/

Discussion on purchase of an All-Wheel Drive Maintainer. County Clerk was asked to find a Bid advertisement from the past. It was asked if we needed to gather specs for the specific machine we need. It was agreed to place an ad, and the supervisors would go from the bids to figure out what they wanted. Motion by Henery, seconded by Koinzan to advertise for an All-Wheel Drive Maintainer. Voting aye: Henery, Koinzan, Williby, Schindler, Kerkman, Bolling, and Schwager. Nays none. Motion carried.

NACO fall workshop was discussed. Meeting begins at 9:00 AM, on September 18, 2015 at St. Benedict Retreat Center in Schuyler, Nebraska. Three member s of the county board affirmed their attendance. Supervisors Kerkman, Schindler and Schwager asked for an RSVP.

Clerk, Lisa Payne, asked the supervisors to clarify when the Part-time Road employees pay raise approved last month is effective. Discussion ensued. Motion was made by Williby, and seconded by Schindler to make part-time road employees pay raise to \$14.15 effective September 1, 2015. Voting aye: Williby, Kerkman, Henery, Schindler, Koinzan, Bolling and Schwager. Nays none. Motion carried.

Taxpayer, Tom Kester, requested to have a profit and loss statement of the Jail on a monthly basis. Discussion ensued. Supervisor Henery stating we already have that, in the Fee Report turned in monthly by the Sheriff. It is all a matter of public record. Every claim the jail has is approved monthly in the claims process by the board, the fees collected is presented in the miscellaneous fee report, and he adheres to a county set budget, like any other official. Sheriff Moore addressed the audience and the board. Stating the jail was not built for him, it was built for Antelope County. We are not in the jail business to make a profit, and it was never intended to be a for profit entity. The jail was built, after a committee of Antelope County Taxpayers had been selected, heard the reviews and talked to the taxpayers and patrons of Antelope County. It was decided by the County Board of Supervisors, and not by Sheriff Moore. He stated that short of a personal attack on him, this would/should not be an issue. The Correctional Facility houses the 911 Emergency Center, and is a great asset to investigations, and other legal matters. No action at this time.

Rod Wilke and Tessa Hain, with Antelope County Extension Office met with the Board regarding their budget request. Because they are asking to almost double their budget, there were many questions from the board regarding the extra person they are planning to hire, what the specific duties of this person is, and what responsibilities will be going to Tessa. The Extension Office responded they would have this person specifically for Office Management and reports to UNL. Tessa would be full time working with the youth of Antelope County through education, and 4-H. She will work closely with the schools of Antelope County, and the FFA chapters. She will work with the 4-H program throughout the county. The individual they hire, would work a 30 hour week and be considered part-time/full-time. The discussion went on to encompass the age of computers did not necessarily end the days of paper. Juggling the reports and office duties is a great undertaking, and Tessa does not have the time to work both entities. The youth of Antelope County is where it is.

Motion by Williby, seconded by Koinzan to adjourn. Voting aye: Bolling, Kerkman, Schindler, Henery, Williby, Brandt and Schwager. Nays none. Motion passed.

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Meeting adjourned at 11:41 AM.

ANTELOPE COUNTY BOARD OF SUPERVISORS

By: _____
Chairman of the Board, Jerald Schwager

Attest: _____
County Clerk, Lisa Payne